

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK -----X DOMINIQUE DEMONCHAUX. Plaintiff, -against- UNITED HEALTHCARE OXFORD AND OXFORD HEALTH PLANS (NY), INC., Defendants. -----X	Civ. Act. No.: 10 CIV. 4491 (DAB) AFFIRMATION OF LISA S. KANTOR IN SUPPORT OF PLAINTIFF’S REPLY MEMORANDUM IN SUPPORT OF AN AWARD OF ATTORNEYS FEES AND COSTS DOCUMENT <u>ELECTRONICALLY FILED</u>
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**AFFIRMATION OF LISA S. KANTOR IN SUPPORT
OF PLAINTIFF’S REPLY MEMORANDUM IN SUPPORT OF AN
AWARD OF ATTORNEY FEES AND COSTS**

Plaintiff Dominique Demonchaux hereby submits the following Affirmation of Lisa S. Kantor in support of her Reply Memorandum in Support of an Award of Attorney’s Fees and Costs.

I, Lisa S. Kantor, declare and state:

1. I am an attorney duly licensed to practice law before all courts in the State of California and the Supreme Court of the United States. I am one of the founding partners of the law firm of Kantor & Kantor. Plaintiff, Dominique Demonchaux, has been a client of Kantor & Kantor prior to the filing of the complaint and up through the present time. On September 8, 2010, this Court issued an Order for Admission *Pro Hac Vice* admitting me to practice *pro hac vice* as counsel for Plaintiff. I have personal knowledge of the following facts and, if called as a witness, I could and would testify competently to the following.

2. Attorney Deborah Lieber is a Senior Associate in our firm and at my direction and under my direct supervision, has been responsible for conducting much of the research and preparing the drafts of Plaintiff's Opposition to Defendant's Motion for Summary Judgment and Motion to Strike and response to Defendant's Rule 56.1 Statement, and related documents. Once she prepares the drafts of the documents, I am given the opportunity to review the drafts and supplement if necessary, make revisions and other edits, and put the documents in final form which only I signed. Ms. Lieber has not done any work on this case either independent of me or unsupervised by me.


3. When our office prepared the spreadsheet regarding the attorneys' fees incurred by Plaintiff, I specifically did not include my time for reviewing, revising or supervising Ms. Lieber, anticipating that if I did, counsel for Defendant would object to this time as duplicative and excessive. If this Court or defense counsel prefers, I can supplement Plaintiff's fee bill, adding in my time for these tasks.

4. Additionally, when our office prepared the spreadsheet regarding the attorneys' fees incurred by Plaintiff, I was very careful not to credit myself with any work that was done, at least in part, by an associate working under my supervision, since my hourly rate is higher than my associates' and I wanted to ensure any time referenced was fairly documented.

5. Since the preparation and filing of Plaintiff's Motion for Attorneys' Fees and Costs on May 15, 2013, Plaintiff has incurred additional attorneys' fees in the review and analysis of Defendant's Opposition and the case law cited, as well as in the preparation of both the Reply and this Declaration. This additional time is documented in the spreadsheet attached hereto as Exhibit "A" and totals \$5,490.00. Reducing this amount by 10% to take into account any possible duplication of time or inefficiency, this amount is \$4,941.00. Plaintiff's total fee request has therefore increased from \$70,276.50 to \$75,217.50.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19th day of June, 2013 at Northridge, California.

A handwritten signature in cursive script, reading "Lisa S. Kantor". The signature is written in black ink and is positioned above a horizontal line.

Lisa S. Kantor

CERTIFICATE OF SERVICE

I certify that on June 21, 2013, I served a true and complete copy of the foregoing Reply Affirmation of Lisa S. Kantor by transmitting the same by electronic mail and ECF to the following individuals:

Michael H. Bernstein, Esq.
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Dated: June 21, 2013
New York, New York

/s/ Scott M. Riemer
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